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1 2 3 4 5 6	LAW OFFICE OF K.C. MAXWELL K.C. MAXWELL (214701) (kcm@kcmaxlaw JENNIFER M. FRENCH (265422) (jf@kcmax 235 Montgomery Street, Suite 1070 San Diego, CA 92121 Telephone: (415) 322-8817 Facsimile: (415) 888-2372  Attorneys for Defendant TYLER MCCLURE	.com) xlaw.com)
7 8	UNITED STATES DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA	
10	SAN FRANCISCO DIVISION	
11	SAN FRANCISCO DI VISION	
12	LINITED STATES OF AMEDICA	Case No. CR 11-00942-WHA
	UNITED STATES OF AMERICA,	
13	Plaintiff,	STIPULATION AND <del>[Proposed]</del> Order Continuing Status Hearing and Excluding Time Under the Speedy Trial Act
14	V.	
15	TYLER MCCLURE, et al.,	
16	Defendant.	Judge: Hon. William Alsup Place: Courtroom 8, 19th Floor
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28		CASE No. CR 11-00942-WHA
	STIPH ATION & (Proposed) Order Continuing Status Hearing & Eycluding Time	

1 **STIPULATION** The undersigned parties respectfully request that the status hearing currently scheduled for 2 3 October 23, 2012 be continued to November 13, 2012, if the Court is available, and that time be excluded under the Speedy Trial Act until the new date. The government has produced 4 voluminous discovery consisting of documents relating to both the charged count against Mr. 5 6 McClure, conspiracy to maintain drug-involved premises, and to the related counts for conspiracy 7 to commit bank and wire fraud, substantive wire fraud, and substantive bank fraud—including 8 over 45,000 single-page tiff documents. The parties respectfully submit that a continuance until 9 November 13, 2012 is necessary in order to allow Mr. McClure's counsel time to review the 10 voluminous and complex discovery. The parties also request an exclusion of time under the Speedy Trial Act from October 23, 2012 through November 13, 2012. The parties agree that the 11 exclusion of time is appropriate based on the defendant's need for effective representation of 12 13 counsel. 18 U.S.C. § 3161(h)(7)(B)(iv). 14 IT IS SO STIPULATED: 15 LAW OFFICE OF K.C. MAXWELL Dated: October 12, 2012 16 17 /s/ Jennifer M. French JENNIFER M. FRENCH 18 Attorneys for Defendant TYLER MCCLURE 19 U.S. DEPARTMENT OF JUSTICE 20 21 22 /s/ W.S. Wilson Leung W.S. WILSON LEUNG 23 Attorneys for the United States 24 FILER'S ATTESTATION 25 Filer's Attestation: Pursuant to General Order No. 45, section X(B) regarding signatures, 26 Jennifer M. French hereby attests that concurrence in the filing of this document has been 27 obtained. 28

STIPULATION & [PROPOSED] ORDER CONTINUING STATUS HEARING & EXCLUDING TIME

CASE No. CR 11-00942-WHA

1.

## |PROPOSED| ORDER

Accordingly, for good cause shown, the Court **HEREBY ORDERS** that the status hearing scheduled for October 23, 2012 is continued to November 13, 2012.

The Court **FURTHER ORDERS** that time be excluded under the Speedy Trial Act from October 23, 2012 to November 13, 2012. The Court finds, based on the aforementioned reasons, that the ends of justice are served by granting the requested continuance.

## IT IS SO ORDERED:

Dated: October 15, 2012.

